



Brandon

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March 15, 2007

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FCC - MAILROOM

FCC, Office of the Secretary
445 12th Street SW
Washington, DC 20554

Subject: Request for Review

CC Docket No. 02-6

Applicant: Brandon School
Applicant BEN 878 *
Form 470 App # 121870000582213

*Denial letter had #145909

Dear Sir:

We request a review: USAC 1-16-07 Denial of Applicant 2-17-06 Appeal

Our manually prepared Form 470 was rejected as not being submitted on the correct OMB-approved FCC Form 470. (Rejection Letter dated 1-30-06) As provided for in the rejection letter, we filed a letter of appeal on 2-17-06.

On 5-19-06, the "Bishop-Perry" came down, which apparently would effect our situation: filing on the wrong form was a "correctable error".

USAC followed the Bishop-Perry directive by publishing procedural information on its website: "What USAC is doing", and "What applicants need to do". Basically, USAC would be sending a letter to all FY2006 applicants, providing guidance on corrections. This required that the applicant's Form 470 had been "posted" to the USAC website, placing the document "within the system".

Applicants who filed on the superceded form would have filed manually, and the original Form 470's were returned with the rejection letter, leaving the document not "posted" and therefore "outside the system". The "What applicants need to do" procedure did not provide a correction remedy to those who were not "posted".

Having already submitted an appeal (before Bishop-Perry provided some relief) our calls to the SLD Client Service Bureau (8100 number) generally resulted in "wait and see what results from our appeal".

We received the USAC 1-16-07 letter, denying our appeal, stating that we failed to show that the USAC erred in it's original decision, in that "the applicant failed to submit correct versions of Form 470. We agree that the 1-30-06 denial was proper, based on procedures in effect at that time, and absent the Bishop-Perry order.

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Page 1 of 2 Pages

P: (508) 655-6400 F: (508) 650-9431

27 Winter Street Natick, MA 01760-1099

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Sexualized Behavior
Treatment

Our current Request for Review and reversal of the 1-16-07 decision is based on the following:

1. Manual filing on the superceded form insured that our filing was never "posted to the USAC website, and the USAC procedures detailed in their publication "What applicants need to do -- Who is eligible to request corrections" only provided for corrections if your filing was "posted".

The "What applicants need to do" publication made no provision for those filing on the superceded form, even though this was a "correctable error".

2. The recent 1-16-07 appeal denial based it's decision on the same criterion as in it's original 1-30-06 denial: that the "applicant failed to submit correct versions of the Form 470". This denial failed to include consideration of the Bishop-Perry order, which directed USAC "to provide all E-rate applicants with an opportunity to cureerrors" of which using the form from a prior year was a "correctable error".

Brandon is a residential school for boys with behavioral and learning difficulties, with most of our "clients" placed by the Massachusetts Department of Social Services. The recent economic downturn, and extended cutback of Federal funds to the states has caused a financial strain on Massachusetts and its municipalities. This has had an extreme effect on the social services agencies and providers.

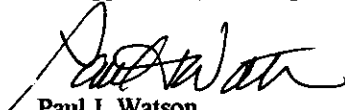
The availability of E-rate funds has provided a dual benefit. It has increased the flexibility of the school's budget, and more importantly, has allowed us to finance an additional mechanism for teaching our students, who don't necessarily respond to the group classroom and textbook approach. For those "students" who are comfortable with video games and Gameboys, the move to the internet world and computer assisted learning can be a short step. We do not want to miss this opportunity to advance their education.

Brandon School contact information:

Paul J. Watson, Director of Finance
Brandon School
27 Winter Street
Natick, MA 01760

Tel.: 508-655-6400 x208
Fax: 508-650-9431
email: pwatson@brandonschool.org

We appreciate your cooperation in this matter.



Paul J. Watson
Director of Finance

Encl.:

January 30, 2006 Form 470 Rejection Letter
Brandon 2-17-06 Letter of Appeal
January 16, 2007 Administrator's Decision on Appeal



Universal Service Administrative Company
Schools & Libraries Division

FORM 470 REJECTION LETTER
FUNDING YEAR 2006 (July 1, 2006 - June 30, 2007)

January 30, 2006

PAUL J WATSON
BRANDON SCHOOL
27 WINTER STREET
NATICK, MA 01760-1015

Re: Applicant's Form Identifier: YE07TELCOM
Form 470 Application Number: 121870000582213

Dear PAUL J WATSON:

This letter is your notification that the entire FCC Form 470, *Description of Services Requested and Certification Form*, you submitted did not meet Minimum Processing Standards (MPS) and cannot be processed. Therefore we are returning your FCC Form 470 with this letter, which means that the Schools and Libraries Division (SLD) could not process it. To be considered for E-rate discounts, your application must be corrected and resubmitted.

We suggest that you take advantage of the opportunity to file your Form 470 online at www.sl.universalservice.org. The system is designed to help you file successfully, and using the online system will ensure that your application meets MPS, is data entered into our system correctly and timely certified. If you resubmit your Form on paper, you should be careful to ensure it also meets ALL MPS. The Form 470 Instructions list the Minimum Processing Standards. Here is an explanation of the specific reason(s) your Form 470 did not meet the Minimum Processing Standards:

- The Form 470 submitted is not the correct, OMB-approved FCC Form 470, with a date of October 2004 or later in the lower right-hand corner of each page.

TO APPEAL THIS DECISION

If you wish to appeal a decision in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and (if available) e-mail address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the letter and the decision you are appealing:

P.O. Box 7026, 3833 Greenway Dr., Lawrence, KS 66044-7026
Visit us online at: <http://www.universalservice.org>

JANUARY 30, 2006 REJECTION LETTER

- appellant name,
 - applicant or service provider name, if different than appellant,
 - applicant BEN and service provider SPIN,
 - <insert application or form number> as assigned by the SLD,
 - <insert name of the letter and funding year - both are located at the top of the letter, AND
 - the exact text or the decision that you are appealing.
2. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
 3. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by the SLD's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by the SLD's decision.
 4. Provide an authorized signature on your letter of appeal.

To submit your appeal to the SLD by e-mail, use the "Submit a Question" feature on our web site at www.sl.universalservice.org. Click "Continue," choose "Appeals" from the Topics Inquiry on the lower portion of your screen, and click "Go" to begin your appeal submission. The system will prompt you through the process. The SLD will automatically reply to incoming e-mails to confirm receipt.

To submit your appeal to the SLD by fax, fax your appeal to (973) 599-6542.

To submit your appeal to the SLD on paper, send your appeal to:

Letter of Appeal
 Schools and Libraries Division
 Box 125 - Correspondence Unit
 80 South Jefferson Road
 Whippany, NJ 07981

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted in the Reference Area of our web site. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
 Universal Service Administrative Company

Enclosure:

(1) Form 470



Brandon

February 17, 2006

Letter of Appeal
Schools and Libraries Division
Box 125 – Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Dear Sir,

We wish to appeal rejection of the Form 470 submitted, as detailed:

Appellant name:	Paul J. Watson
Applicant	Brandon School
Applicant BEN	878
Form 470 Application number	121870000582213
Name of Rejection Letter dated January 30, 2006	Form 470 Rejection Letter Funding Year 2006 (July 1, 2006 – June 30, 2007)
Text of Decision	The Form 470 submitted is not the correct, OMB-approved FCC Form 470, with a date of October 2004 or later in the lower right-hand corner of each page.

We had prepared the 470 data in draft form and tried to file online over a period of several days, but could not complete the data entry because we kept getting "timed out", and shut off. Our call to the SLD 8100 number indicated that "the server was overloaded." In our effort to make a timely manual application, we erroneously used the superceded May, 2003 form. As suggested in your letter, we will be filing online.

Brandon School contact information:

Paul J. Watson, Director of Finance
Brandon School
27 Winter Street
Natick, MA 01760

Tel: 508-655-6400 x208
Fax: 508-650-9431
email: pwatson@brandonschool.org

We appreciate your cooperation in this matter.

Sincerely,

Paul J. Watson
Director of Finance

P: (508) 655-6400 F: (508) 650-9431

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Special Education
Day School

Group
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Sexualized Behavior
Treatment

FEBRUARY 17, 2006 APPEAL



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2006-2007

January 16, 2007

Paul J. Watson
Brandon School
27 Winter Street
Natick, MA 01760-1099

Re: Applicant Name: Brandon School
Billed Entity Number: 145909
Form 471 Application Number: 9
Funding Request Number(s): 1 Unassigned
Your Correspondence Dated: February 17, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2006 Form 470 Rejection Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1 Unassigned
Decision on Appeal: **Denied**
Explanation:

- Upon thorough review of the appeal letter and the relevant documentation, the USAC has determined that Form 470 Numbers 405620000582214 and 121870000582213 were properly rejected for failing to meet Minimum Processing Standards (MPS). The applicant failed to submit correct versions of the Form 470s. Submitted Forms 470s must meet MPS in order to ensure the efficient and timely processing of the Form 470. If a Form 470 fails to meet MPS, the Form 470 will be rejected and the application will not be considered for discounts under the Schools and Libraries Universal Service Support Mechanism. It is the responsibility of the applicant to ensure that all forms are submitted to the USAC in a correct and timely manner. On appeal, you have failed to show that the USAC erred in its original decision. Program procedures also do not permit USAC to accept new information on appeal except where an applicant was not

JANUARY 16, 2007 DENIAL

given an opportunity to provide information during the initial review or an error was made by USAC. Consequently, the appeal is denied.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in *full, partially approved, dismissed, or canceled*, you may *file an appeal with the FCC*. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Brandon

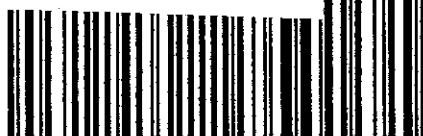
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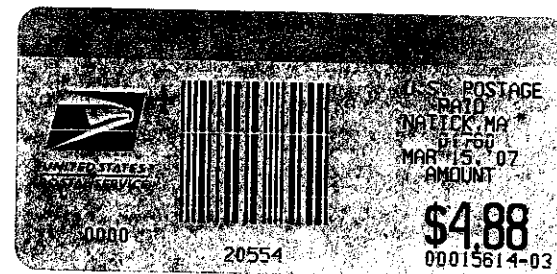
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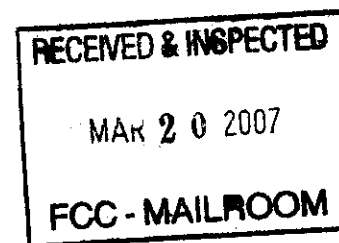
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CC DOCKET No. 02-6